

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JASON T. PROCHNOW,

Petitioner,

v.

UNITED STATES,

Respondent.

ORDER

12-mc-7-slc

Petitioner Jason Prochnow has filed a petition to quash summons, which has been opened as a miscellaneous case. The fee for filing a miscellaneous case is \$46. Plaintiff has not paid the filing fee and instead asks for leave to proceed *in forma pauperis*. He has supported his request with an affidavit of indigency. The standard for determining whether plaintiff qualifies for indigent status is the following:

- From plaintiff's annual gross income, the court subtracts \$3700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, plaintiff has no monthly income and no assets. Because plaintiff's income is less than \$16,000, he can proceed without any prepayment of fees or costs. Accordingly, plaintiff's motion for leave to proceed *in forma pauperis* will be granted.

ORDER

IT IS ORDERED that petitioner's motion for leave to proceed *in forma pauperis*, dkt. #3, is GRANTED. Briefing on petitioner's motion to quash summons, dkt. #1, is as follows: respondent's brief in opposition is due July 6, 2012. Petitioner's brief in reply is due July 13, 2012.

Entered this 20th day of June 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge